Date: 11th June, 2013.

Re: Sumant C. Bolar.

(Amritlal R.Thakkar)

Insolvency No. 39 of 2001.

Date of Act of Insolvency

Date of Petition. 11.06.2001.

Date of Adjudication ...5.2.2002.

Date of Annulment...

Present:-

Ms. Arti Malik i/b. Mr.S.M.Haridas,Advocate for the Claimant Nos.2 and 4.

Shri Bharatkumar A. Thakkar, Claimant No.2 and C.A. of Claimant No.4.

Insolvent – S.C. Bolar.

Claimants No.1 and 3 – expired.

No other appearances.

Today's meeting is called to investigate the claim of the Claimants - Amritlal R.Thakkar & Ors. lodged herein under an Affidavit of Claim dated 27th January, 2004.

Today, Claimant No.2 has signed his statement recorded on 7th January, 2013.

Bharat Amritlal Thakkar – Claimant No.2 on S.A. further states as under:-

Today, I am producing a zerox true copy alongwith copy of reply dated 13th February,2002 to Notice under Ref.No.82/2002, addressed by Manoj R. Prajapati, Advocate on behalf of Insolvent to Indravadan Joshi of I.R.Joshi & Co.,Advocate on our behalf, the Claimants herein. I request the Official Assignee to compare the zerox true copy of the reply dated 13th February, 2002 with copy thereof and take on record zerox true copy and to return the copy of the same to me. I undertake to produce the copy of the same as and when called upon to do so.

(Accordingly, the zerox true copy of the reply dated 13th February, 2002 is taken on record and copy thereof is returned to Claimant No.2.)

(When Insolvent was asked whether he wants to look at the abovementioned letter/reply, he refused to look at the same.)

(Claimant No.2 states that today he does not have extra copy of the aforesaid letter/reply to hand it over to the Insolvent and undertakes to furnish the copy of the said letter/reply dated 13th February, 2002 to Insolvent on or before the next date of meeting.)

I am tendering zerox true copy of the rejoinder dated 30th April, 2002 alongwith copy thereof addressed by I.R. Joshi & Co. to M.R. Prajapati, Advocate for Insolvent. I request the Official Assignee to compare the zerox true copy of the rejoinder dated 30th April, 2002 with copy thereof and take on record zerox true copy and to return the copy of the same to me. I undertake to produce the copy of the same as and when called upon to do so.

(Accordingly, the zerox true copy of the rejoinder dated 30th April, 2002 is taken on record and copy thereof is returned to Claimant No.2.)

I will handover the zerox copy of the said rejoinder to Insolvent on or before the next date of the meeting.

I say that this rejoinder has been sent by Solicitor – I.R. Joshi & Co. by Registered Post A.D. on our behalf(Claimants), hence, the acknowledgment receipt is with Solicitor I.R. Joshi & Co. I undertake to produce the acknowledgment receipt of the said rejoinder in this Office on or before the next date of the meeting.

(Requisition accordingly.)

I say that by the aforesaid rejoinder dated 30th April, 2002, I have denied

allegations made by the Insolvent in reply dated 13th February, 2002.

I say that I am tendering original letter dated 24th April, 1998 alongwith zerox true copy thereof, received by The Mumbai District Central Co-operative Bank Ltd. in respect of his proposal offering premises on lease basis for their proposed Branch. By this letter, the said Bank had offered rate of lease rent at Rs.35/- per sq. ft. and the area available for lease was 1500 to 2000 sq.ft. However, Insolvent had not obtained Occupation Certificate from BMC and because of this, I suffered loss of about Rs.20,80,120/- from April, 1998 to July, 2001. I request the Official Assignee to compare the zerox true copy of letter dated 24th April, 1998 with original thereof and return the original to me. I undertake to lodge the original as and when called upon to do so.

(Accordingly, zerox true copy of letter dated 24th April, 1998 is taken on record and copy thereof is returned to Claimant No.2.)

(Today, Claimant No.2 has handed over copy of the letter dated 24th April, 1998 to Insolvent.)

I am tendering three notarised true copies of Declaration, all dated 27th October, 1995 in respect of Flat No.2 A on 1st Floor; Flat No. 4 B on 1st Floor and Flat No.1 A on the 1st Floor. The Original of this Declarations are with Insolvent as the Insolvent is also one of the signatories of the abovementioned Declaration. I request the Official Assignee to compare the zerox true copy of the said three Declarations with notarised true copies thereof and return the notarised true copies of the said three Declarations to me. I undertake to lodge notarised true copies of the three Declaration as and when called upon to do so.

(Accordingly, zerox true copies of the said three Declarations dated 27th

October, 1995 are taken on record and notarised true copies thereof are returned to Claimant No.2.)

(Today, Claimant No.2 has handed over copies of the said three Declarations dated 27th October, 1995 to Insolvent.)

I say that by these three Declarations, Insolvent has mortgaged three flats i.e.Flat No. 2 A on 1st floor to Jitendra Chandulal Shah; Flat No.4 B on 1st floor to Bharat Chandulal Shah and Flat No. 1 A on the 1st floor to Ashish Chandulal Shah and raised loan of Rs.25 Lacs by way of mortgage and by this Declarations, we i.e. the lease owners viz. I myself, my father-A.R. Thakkar on his behalf and as Power of Attorney for my brother – Bhupatrai Amritlal Thakkar; and my married sister-Kantaben Thakkar have signed the said Declarations and we have given our No Objection Certificate for mortgaging the aforesaid three flats. I say that without redeeming the mortgage, the Insolvent created third party rights in respect of the abovementioned flats i.e. Insolvent sold two flats to Prakash Mehta, who according to Insolvent is a debtor and one flat to Maheshwari. As Insolvent has not cleared the mortgage amount , the abovementioned three persons have filed 138 proceedings and the same are still pending in Borivali Court.

(At this stage , Ms. Malik requests to adjourn today's meeting.)

Per Dy.O.A.:-

At the request of Ms. Malik, this meeting is adjourned to **27th June, 2013 at 3.15 P.M.**

(Claimant No.2 is directed to sign his statement on or before the next date of the meeting.)

DRV/GGK

Date: 11th June, 2013.

Re: Sumant C. Bolar.

(Bhupatrai A. Thakkar)

Insolvency No. 39 of 2001.

Date of Act of Insolvency

Date of Petition. 11.06.2001.

Date of Adjudication ...5.2.2002.

Date of Annulment...

Present:-

Ms. Arti Malik i/b. Mr.S.M.Haridas, Advocate for the legal heirs of the Claimant.

Shri Bharatkumar A. Thakkar, C.A. of the legal heirs of the Claimant.

Insolvent – S.C. Bolar.

No other appearances.

Today's meeting is called to investigate the claim of the Claimant - Bhupatrai A. Thakkar lodged herein under an Affidavit of Claim dated 25th July, 2002.

Per Dy.O.A.:-

Since I am busy in recording the statement of Bharat Amritlal Thakkar – Claimant No.2 in connected matter being Insolvency Petition No.39 of 2001, this meeting is adjourned to **27th June, 2013 at 3.30 P.M.**

DRV/GGK